



Recommendation for Action

File #: 19-3014, **Agenda Item #:** 58.

10/3/2019

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of an approximately 0.089 acres (3,890 square feet) of land in the John Applegait Survey No. 58, and being a portion of Lot 4, Northwend Phase "B" Section One-D, a Subdivision in Travis County, Texas, according to the plat recorded in Volume 84, Page 97B, Plat Records Travis County, Texas, the said Lot 4, being described to Firebrand Properties, LP. in that certain document recorded in Document No. 2015117831 of the Official Public Records of Travis County, Texas, in the amount of \$56,835 for the public use of upgrading the capacity of the overall electric system, and ensuring the distribution of safe and reliable electric services to the community. The owner of the property interest is Firebrand Properties, LP., a Texas limited partnership. The property is located entirely within District 4, at 9525 N. Lamar Blvd., Austin, Texas 78753. The general route of the project is along the east side of N. Lamar Blvd. from the Justin Lane Substation on North Lamar Blvd., crossing Lamar Blvd. at Wagon Trail Road from there the circuit traverses the North Park Estates and Gracywoods neighborhoods until it reaches the McNeil Substation on Knollpark Drive., in Austin, Travis County, Texas.

Lead Department

Austin Energy

Fiscal Note

Funding is available in the Fiscal Year 2019-2020 Capital Budget of Austin Energy.

For More Information:

Jeff Vice, Director, Local Government Issues (512) 322-6087; Pamela England, Manager, Public Involvement & Real Estate Services (512) 322-6442.

Council Committee, Boards and Commission Action:

September 9, 2019 - Recommended unanimously by the Electric Utility Commission on a 7-0 vote, with Commissioners Boyle, Funkhouser, Hopkins and Wray absent.

Additional Backup Information:

This project will upgrade the four-mile Circuit 811 transmission line from 69kV to 138kV to provide redundancy and increase reliability of the electric service system.

Additional easement widths are necessary for safety and clearance requirements pursuant to the National Electric Safety Code, and for access and maintenance of Circuit 811. Austin Energy identified 103 easement tracts necessary for this upgrade project. To date, 34 property owners have accepted appraised values; 19 are unwilling to accept the appraised values; and 50 are in negotiations.

The current fair market value of the 9525 N. Lamar tract, as determined by an independent, third party appraiser, is \$56,835. The City attempted to purchase the needed property for this amount however, the City and the property owner were unable to agree on the value of the tract. The Law Department requests authorization to file an action in eminent domain on behalf of the City of Austin.